rules and regulations

[7590-01-M]

Title 10—Energy

CHAPTER I—NUCLEAR REGULATORY COMMISSION

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

Personnel Monitoring Reports

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Approval of reporting and recordkeeping requirements by Comptroller General.

SUMMARY: On September 29, 1978, the Nuclear Regulatory Commission published in the FEDERAL REGISTER a notice of rulemaking, effective December 13, 1978, amending its regulations "Standards for Protection Against Radiation" to extend to all NRC specific licensees the requirement for submission of an annual statistical summary report on radiation exposure of workers.

The notice included the following note:

NOTE.—The Nuclear Regulatory Commission has submitted this rule to the Comptroller General for such reviews as may be appropriate under the Federal Reports Act, as amended, 44 U.S.C. 3512. The date on which the reporting requirements of this rule became effective, unless advised to the contrary, accordingly reflects inclusion of the 45-day period which that statute allows for such review (44 U.S.C. 3512(c)(2)).

Notice is hereby given that the reporting requirements set out in the rule have been approved by the U.S. General Accounting Office.

EFFECTIVE DATE: December 13, 1978.

The reporting requirements set out in the notice of rulemaking amending 10 CFR Part 20 which was published in the FEDERAL REGISTER on September 29, 1978 (43 FR 44827) have been approved by the U.S. General Accounting Office under number B-180225 (R0084).

FOR FURTHER INFORMATION CONTACT:

Gerald L. Hutton, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Telephone 301-492-7086.

Dated at Bethesda, Md., this 9th day of November 1978.

For the Nuclear Regulatory Commission.

LEE V. GOSSICK,
Executive Director for Operations.

[FR Doc. 78-32580 Filed 11-17-78; 8:45 am]

[6714-01-M]

Title 12—Banks and Banking

CHAPTER III—FEDERAL DEPOSIT INSURANCE CORPORATION

SUBCHAPTER B—REGULATIONS AND STATEMENTS OF GENERAL POLICY

PART 329—INTEREST ON DEPOSITS

Interest Rate Limitations on Savings Accounts From Which Funds May be Automatically Transferred to the Depositor's Checking Account

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Final rule.

SUMMARY: The FDIC is amending its interest rate regulations to conform them to certain provisions of the Financial Institutions Regulatory and Interest Rate Control Act of 1978 (FIRA). FIRA requires, among other things, that the rate of interest paid by thrift institutions (including mutual savings banks) on savings deposits subject to preauthorized funds transfer agreements must not exceed the maximum rate of interest payable by commercial banks on passbook savings deposits (currently 5 percent per year). Thus, commercial banks and thrift institutions are limited to paying the same rate of interest on savings accounts from which funds may be automatically transferred to other accounts of the same depositor, including funds transferred to cover checks drawn on the depositor's checking account. It is important to bear in mind that this applies only to those savings deposits from which funds may be automatically transferred. Thrift institutions will still be allowed to pay interest on their regular passbook savings accounts at a yearly rate which is one-quarter of 1 percent higher than the maximum rate allowed commercial banks.

EFFECTIVE DATE: This amendment is effective on November 20, 1978.

FOR FURTHER INFORMATION CONTACT:

F. Douglas Birdzell, Senior Attorney, Bank Regulation Section, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, D.C. 20429, 202-389-4324.

SUPPLEMENTARY INFORMATION: On October 15, 1978, Congress passed FIRA. Section 1602 of that statute amends section 102 of Pub. L. 94-200 to provide in substance that as to savings deposits subject to preauthorized transfer agreements whereby transfers may be made to the depository bank or a checking or other account of the same depositor, the maximum rate of interest payable shall be no more than the maximum rate payable on passbook savings deposits in federally insured banks other than mutual savings banks. This provision of FIRA effectively lowers the maximum rate which thrift institutions may pay on such savings deposits to the maximum commercial bank rate (currently 5 percent per year).

In general, thrift institutions (including mutual savings banks) have been permitted to pay one-quarter of 1 percent more interest each year on any given category of deposit than the maximum allowed commercial banks. The other exceptions to this rate differential apply to NOW (negotiable order of withdrawal) accounts and time deposits consisting of funds held by public units or funds deposited in individual retirement accounts or pursuant to Keogh (H.R. 10) plans.

This amendment also makes minor technical changes in § 329.7 of FDIC's regulations which involve the updating of cross-references to subparagraphs in that regulation.

The provisions of 5 U.S.C. section 553 concerning notice, public participation and deferred effective date were not followed in connection with the adoption of this amendment because it simply implements the requirements of a statute already in existence.

After coordination with the Board of Governors of the Federal Reserve

System and the Federal Home Loan Bank Board and pursuant to its authority under sections 9 and 18 of the Federal Deposit Insurance Act (12 U.S.C. sections 1819 and 1828) and section 1602 of the Financial Institutions Regulatory and Interest Rate Control Act of 1978 (Pub. L. 95-630), FDIC's Board of Directors is amending § 329.7 of FDIC's regulations by adding a new subparagraph (9) to § 329.7(b) and by adding the numbers (6), (7), (8), and (9) following the number (5) in paragraph (b)(1)(i) of § 329.7. The amendment follows:

§ 329.7 Maximum rates of interest or dividends payable on deposits of insured nonmember mutual savings banks.[14]

(a) * * *

(b) *Maximum rates payable.*—(1) *General.* (i) Except as provided in paragraphs (b) (2), (3), (4), (5), (6), (7), (8), and (9), and paragraph (e) of this section, no insured nonmember mutual savings bank shall pay interest or dividends at a rate in excess of 5¼ percent per annum on any deposit. * * *

* * * * *

(9) No insured nonmember mutual savings bank may pay interest at a rate in excess of 5 percent per annum on any savings deposit which is subject to a preauthorized transfer agreement whereby the bank has been authorized by the depositor in writing to automatically transfer funds from the savings deposit to the bank itself or to a checking or other account of the same depositor in connection with checks, drafts or similar instruments drawn by the depositor upon the bank.

* * * * *

By order of the Board of Directors.

Dated: October 30, 1978.

FEDERAL DEPOSIT INSURANCE CORPORATION,
ALAN R. MILLER,
Executive Secretary.

[FR Doc. 78-32595 Filed 11-17-78; 8:45 am]

[1505-01-M]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket Nos. 14324, 14606, 14625, 14685, and 14779; Amdt. Nos. 23-23; 25-46; 27-16; 29-17; and 121-149]

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[14] * * *

PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

Airworthiness Review Program Amendment No. 7; Airframe Amendments; Final Rule

Correction

On page 52495 in the issue for Monday, November 13, 1978, there appeared a correction to FR Doc. 78-30348 which had appeared in the issue of October 30, 1978. Because of printing limitations, the reproductions of the formulas for § 25.331 (c)(2)(i) and (c)(2)(ii) did not come out perfectly. Therefore, please note that the portion of both formulas which reads "(n-15)" should have appeared with a decimal point as follows: "(n-1.5)".

[4910-13-M]

[Docket No. 17686; Amdt. 39-3351]

PART 39—AIRWORTHINESS DIRECTIVES

Israel Aircraft Industries Model 1121 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive which requires protection and/or relocation of the flexible fuel lines in the near proximity of the Ni-Cad batteries on Israel Aircraft Industries (IAI) model 1121 series airplanes. The AD is needed to minimize the possibility of damaging the flexible fuel lines in the event of a Ni-Cad battery thermal runaway which could result in a fire.

DATES: Effective December 20, 1978. Compliance is required within the next 150 hours time in service after the effective date of this AD, unless already accomplished.

ADDRESSES: The applicable service bulletin may be obtained from Commodore Aviation, Inc., 505 Park Avenue, New York, N.Y. 10022; or Commodore Aviation, Inc., 2025 South Nicklas, Suite 115, Oklahoma City, Okla. 73128. A copy of the service bulletin is contained in the rules docket for this amendment in room 916, 800 Independence Avenue SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT:

D. C. Jacobsen, Chief, Aircraft Certification Staff, AEU-100, Europe, Africa, and Middle East Region, Federal Aviation Administration, c/o American Embassy, Brussels, Belgium, telephone 513.38.30

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring protection and/or relocation of the flexible fuel lines located in the near proximity of the Ni-Cad batteries on certain Israel Aircraft Industries (IAI) Model 1121 Series airplane was published in the FEDERAL REGISTER at 43 FR 10410; March 13, 1978.

The proposal was prompted by an FAA determination that the unprotected flexible fuel lines in near proximity of the Ni-Cad batteries presented a potentially hazardous condition.

Interested persons have been afforded an opportunity to participate in the making of the amendment. Three comments were received; two objected to the proposal. Two commentators assured there would be total voluntary compliance with IAI Service Bulletin No. CJ-16; therefore, negating the need for an AD. Voluntary compliance with a manufacturer's SB does not relieve the FAA from taking airworthiness directive action as appropriate.

One commentator, citing the satisfactory service record of the IAI-1121 aircraft, also objected on the ground that there have been no actual accidents or incidents involving fuel lines and Ni-Cad batteries on IAI-1121 aircraft and stated that consideration should be given to the economic impact of the proposal on operators. The FAA has considered the economic impact as well as the safety aspect and the compliance time is intended to allow modification during routine maintenance so as to minimize the burden to operators.

The amendment is adopted as proposed.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by adding the following new airworthiness directive:

ISRAEL AIRCRAFT INDUSTRIES (IAI). Applies to model 1121, 1121A, and 1121B airplanes, serial numbers through 150 except 107 and equipped with Ni-Cad battery overtemperature warning or combination overtemperature warning and indicator systems, which rely on a common single sensor per battery.

Compliance required within the next 150 hours time in service after the effective date of this AD, unless already accomplished.

To reduce the possibility of damage to the flexible fuel lines and potential fire in the event of an uncontrolled Ni-Cad battery thermal runaway, modify the flexible fuel line installation and after modification perform inspections and leak tests in accordance with Commodore Jet Service Bulletin No. CJ-16, dated May 31, 1977, or equivalent, approved by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region, c/o American Embassy, APO NY 09667.

This amendment becomes effective December 20, 1978.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); 14 CFR 11.89).)

Issued in Washington, D.C., on November 9, 1978.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc. 78-32536 Filed 11-17-78; 8:45 am]

[4110-07-M]

Title 20—Employees' Benefits

CHAPTER III—SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950——)

Subpart M—Coverage of Employees of State and Local Governments

STATE AND LOCAL GOVERNMENTS—SOCIAL SECURITY DEPOSIT REQUIREMENTS; FREQUENCY WITH WHICH STATES SHALL DEPOSIT CONTRIBUTIONS

AGENCY: Social Security Administration, HEW.

ACTION: Final regulations.

SUMMARY: These regulations increase the frequency with which States and interstate instrumentalities (which are treated as States to the extent practicable) deposit social security contributions on wages and salaries paid to covered employees. This new rule will require States to deposit contributions 15 days after the end of the first month in the calendar quarter, 15 days after the second month, and 45 days after the third month in the quarter. For interstate instrumentalities, however, the contributions for the third month of the quarter will be due by the last day of the first month of the next quarter. The present quarterly deposit requirement for States, which requires deposits 1 month and 15 days after the end of each calendar quarter, results in substantial losses of interest income to the social security trust funds. It is also inconsistent with requirements for all other employers who must deposit as often as weekly, biweekly, and monthly. The Social Security Act requires that, so far as practicable, the same requirements shall apply to States as apply to other employers.

EFFECTIVE DATE: July 1, 1980. The statute (section 7 of Pub. L. 94-202) requires that a rule affecting frequency or due dates for payments and reports by the States shall not be made effective until 18 months after it is published in the FEDERAL REGISTER. In addition, we believe that making the rule effective at the beginning of a calendar quarter will reduce whatever administrative problems may be involved in making this change.

FOR FURTHER INFORMATION CONTACT:

Armand Esposito, Legal Assistant, 6401 Security Boulevard, Baltimore, Md. 21235, telephone 301-594-5551.

SUPPLEMENTARY INFORMATION: Section 218 of the Social Security Act (42 U.S.C. 418) provides for social security coverage of services of employees of State and local governments through voluntary agreements between the individual States and the Secretary of Health, Education, and Welfare. Coverage is provided for groups which consist generally of employees of the State or of a political subdivision of the State. All States (and about 54 interstate instrumentalities, which are treated as States to the extent practicable) have entered into agreements. Nationally, over 70 percent of all State and local government employees have social security coverage.

The Act also specifies in section 218(e) (42 U.S.C. 418(e)) that the States will pay contributions, equivalent to social security taxes, "at such time or times as the Secretary of Health, Education, and Welfare may by regulations prescribe * * *". The Act further provides, in section 218(i) (42 U.S.C. 418(i)), that the Secretary's regulations shall impose, so far as practicable, the same requirements on States, in the administration of the coverage of State and local government employees, as those imposed on other employers under title II of the Social Security Act and chapter 21 and subtitle F of the Internal Revenue Code of 1954.

The present regulations on payment of social security contributions require that States deposit contributions in a Federal Reserve Bank on a quarterly basis, 1 month and 15 days after the end of each calendar quarter. This depository requirement results in substantial losses of interest income to the social security trust funds. It is also significantly more liberal than the requirements imposed by the Internal Revenue Code on private employers, nonprofit organizations (many of which provide coverage for their employees on a voluntary basis) and other employers who must deposit as often as weekly, biweekly, and monthly, depending on the accumulated amount of social security and income taxes that are withheld.

These more liberal State depository requirements were initially given the States in response to their argument that they had serious administrative problems in receiving, accounting for, and transmitting payments. The States have now had sufficient time to gain experience, however, in processing contribution payments. Further, the amounts involved in earlier years did not result in significant losses of interest earnings to the social security trust funds. These amounts have now grown substantially and many States use the withheld contributions for investment purposes or as current cash flow.

PUBLICATION OF NOTICE OF PROPOSED RULEMAKING

On March 30, 1978, a notice of proposed rulemaking was published in the FEDERAL REGISTER (43 FR 13395) which proposed that States and interstate instrumentalities deposit social security contributions monthly, by the 15th day of the month after the wages were paid. Six options for implementation were presented, ranging from putting those changes into effect as soon as legally permissible to phasing in over a 5-year period. We invited the public to submit new options as well as variations on those we had presented, both on timing of deposits and phasing. The NPRM also proposed that States deposit social security contributions by wire transmission through the Treasury Financial Communications System. The changes were proposed to reduce the substantial losses of interest income to the social security trust funds and to make the deposit requirements for States more like those set by the Internal Revenue Service for employers in the private sector. (These employers may be required to deposit as often as weekly.) We provided a 75-day comment period to give interested parties time to submit written comments, suggestions, or objections.

REACTION TO THE PROPOSAL

We received about 3,300 comments, primarily from State officials, local political subdivisions, governmental organizations and about 200 Members of Congress. The commenters were overwhelmingly opposed to any changes in the States' deposit procedures. The